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U.S. Attorney's Office

September 23, 2014

Dinesh D’Souza Sentenced in Manhattan Federal Court to Five Years of Probation for Campaign Finance Fraud

Preet Bharara, the United States Attorney for the Southern District of New York, announced today that DINESH D’SOUZA was sentenced in Manhattan federal court to five years of probation, with eight months during the first year to be served in a community confinement center, after having pled guilty to violating the federal campaign election law by making illegal contributions to a United States Senate campaign in the names of others. D’SOUZA was sentenced today before U.S. District Judge Richard M. Berman.

Manhattan U.S. Attorney Preet Bharara stated: “Dinesh D’Souza attempted to illegally contribute over \$10,000 to a Senate campaign, wilfully undermining the integrity of the campaign finance process. Like many others before him, of all political stripes, he has had to answer for this crime – here with a felony conviction.”

According to the Indictment, prior court filings, and statements made in court:

The Federal Election Campaign Act (the “Election Act”) is designed to limit financial influence in the election of candidates for federal office, including the Office of United States Senator, and provides for the public disclosure of the financing of federal election campaigns. In particular, the Election Act limits the amount and source of money that may be contributed to a federal candidate or that candidate’s authorized campaign committee. The Election Act specifically prohibits any person from making any contribution in the name of another, including reimbursing a third person, before or after that third person’s contribution, as inducement to make that contribution.

In 2012, the Election Act limited campaign contributions to \$5,000 from any individual to any one candidate. In March 2012, D’SOUZA contributed \$10,000 to the Senate campaign of Wendy Long on behalf of himself and his wife, agreeing in writing to attribute that contribution as \$5,000 from his wife and \$5,000 from him. In August 2012, D’SOUZA directed other individuals with whom he was associated, namely his assistant and a woman with whom D’SOUZA was romantically involved (the “Straw Donors”), to make contributions to Wendy Long’s campaign for the United States Senate (the “Long Campaign”) on behalf of themselves and their spouses that totaled \$20,000 with the promise that he would reimburse them for the contributions. Later that same day or the next day, D’SOUZA, as promised, reimbursed the Straw Donors \$10,000 each in cash for the contributions. When confronted by Ms. Long, D’SOUZA initially misled the candidate before admitting what he had done.

During the plea proceeding, D’SOUZA admitted before the Court that he caused two close associates to contribute \$10,000 each to the Long Campaign with the understanding that he would reimburse them for their contributions and that he did reimburse them. D’SOUZA also admitted that he knew that what he was doing was wrong and something the law forbids.

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In addition to the probationary term with confinement to a community center, Judge Berman sentenced D’SOUZA, 53, of San Diego, California, to a mandatory eight-hour day of community service every week of his five-year term of probation, weekly counseling sessions, and ordered him to pay a \$30,000 fine, as well as a \$100 special assessment.

Judge Berman previously denied D’SOUZA’s pretrial motion to dismiss the indictment for selective prosecution, ruling that there was “no evidence” to support D’SOUZA’s allegation. In sentencing D’SOUZA, Judge Berman referred to his prior ruling and remarked that “the defendant’s claim of selective prosecution, legally speaking, is ‘all hat, no cattle.’”

Mr. Bharara praised the investigative work of the Federal Bureau of Investigation.

This case is being prosecuted by the Office’s Public Corruption Unit. Assistant United States Attorneys Carrie H. Cohen and Paul M. Krieger are in charge of the prosecution.

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